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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO	
10/796,934	03/09/2004	Andreas Sausner	388-1001 3281		
2574	7590 09/27/2005		. EXAMINER		
JENNER & BLOCK, LLP ONE IBM.PLAZA			HONG, JOHN C		
CHICAGO, IL 60611			ART UNIT	PAPER NUMBER	
			3726		
			DATE MAIL ED. 00/07/000		

Please find below and/or attached an Office communication concerning this application or proceeding.

## Diffice Action Summary Diffice Action Summary			Application	n No.	Applicant(s)				
John C. Hong 3726	Office Action Summary		10/796,93	4	SAUSNER ET AL.				
Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ! MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. E-Statenions of time may be available under the provisions of 37 cPt 1.15(a), in a overal, however, may a reply be fixely filed after SX (6) MONTHS from the mailing date of this communication of the communicati			Examiner		Art Unit				
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE # MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CPR 1.38(a). In or overs, however, may a raigh be limitly filled Extensions of time may be available under the provisions of 37 CPR 1.38(a). In or overs, however, may a raigh be limitly filled If NO pendio trapply separated above, the maximum adulation period was payed will till goal period. (S) MONTHS from the mailing date of this communication. Failure to reply will be able to extended pendio for reply will. by abultion, source the application to become ABANDONED (35 U.S.C. § 133). Any ruphy received by the cities of the first hand there maining date of this communication, even if timely filled, may reduce any consideration is maintained pendion to become ABANDONED (35 U.S.C. § 133). Any ruphy received by the cities of the communication, even if timely filled, may reduce any consideration is maintained pendion to be communication. Even the maintained and the fill and the communication and pendion is non-final. 3) Claim (s) Explained in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-13 (s/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 5) Claim(s) is/are analowed. 6) Claim(s) is/are analowed. 7) Claim(s) is/are analowed. 7) Claim(s) is/are subjected to by the Examiner. 8) The specification is objected to by the Examiner. 8) The drawing(s) filled on is/are: a) accepted or b) objected to by the Examiner. 8) Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 8 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to .See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority unde			!	•					
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2a) This action is FINAL. 2b) This action is non-final. 3 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-13 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are objected to. 8) Claim(s) 1-13 are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicate may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some c) None of: 1. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.	Status								
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Paper No(s)/Mail Date 6) Other:	3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)			5) Notice of Informal P		152)			

Application/Control Number: 10/796,934

Art Unit: 3726

DETAILED ACTION

Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - Claims 1-9, drawn to a method for grounding a metal tube, classified in class 29, subclass 508.
 - II. Claims 10-13, drawn to a metal tube, classified in class 138.

The inventions are distinct, each from the other because of the following reasons:

- 2. Inventions I and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the product as claimed can be made by another and materially different process such as the process that does not require the step of a conductive covering section which covers the area of connection on all sides is first pushed onto the metal tube.
- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

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4. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John C. Hong whose telephone number is 571-272-4529. The examiner can normally be reached on M-F(07:00-16:30)First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bryant can be reached on 571-272-4526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

John C. Hong Primary Examiner Art Unit 3726

jh September 19, 2005